

Rec'd PCT/PTO 11 JUL 2005
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/518,811
Applicants : GANTZ, ET AL.
Filed : DECEMBER 22, 2004
Title : COCHLEAR IMPLANT ELECTRODE ARRAY

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0129-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

Sir:

This is in response to the Notification of Missing Requirements dated June 13, 2005, the period for response to which is set to expire on August 13, 2005.

Submitted herewith are the executed Declarations in compliance with 37 CFR 163.

The Commissioner is hereby authorized to charge \$130.00 and any additional fees which may be required under 37 CFR §§ 1.16(e) or credit any overpayment to **Deposit Account No. 10-0233 COCH-0129-US1**.

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,



Ajay A. Jagtiani
Registration Number 35,205

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

July 7, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- ☒ Declaration for Patent Application and Appointment of Attorney (2 sheets).
- ☒ Copy of Notice of Notification of Missing Requirements
- ☒ Patent Fee Transmittal for FY 2005 and Deposit Account Authorization.
- ☒ Credit Card Payment Form

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-COCH-0129-US1**

Respectfully submitted,



Ajay A. Jagtiani
Registration Number 35,205

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

July 11, 2005

Patent Fee Transmittal for FY 2005

Rec'd PTO

11 JUL 2005

☐ Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

Application Number

518,811

Filing Date

22-Dec-04

Named Inventor

Bruce J. Gantz

Examiner Name

To be assigned

Art Unit

To be assigned

Attorney Docket No.

COCH-0129-US1

*** Includes fee changes from HR 4818, Sec. 801, signed on December 8, 2004

FEE CALCULATION

1. Filing Fees

		Large Entity		Small Entity		Paid
Application Type	Description	Code	(\$)	Code	(\$)	
Utility	Basic	1011	300	2011	150	\$ -
	Examination	1311	200	2311	100	\$ -
	Search	1111	500	2111	250	\$ -
Design	Basic	1012	200	2012	100	\$ -
	Examination	1312	130	2312	65	\$ -
	Search	1112	100	2112	50	\$ -
Plant	Basic	1013	200	2013	100	\$ -
	Examination	1313	160	2313	80	\$ -
	Search	1113	300	2113	150	\$ -
Reissue	Basic	1014	300	2014	150	\$ -
	Examination	1114	600	2114	300	\$ -
	Search	1314	500	2314	250	\$ -
National Stage	Basic	1631	300	2631	150	\$ -
	Examination	1633	200	2633	100	\$ -
	Search	1632	500	2632	250	\$ -
Provisional	Basic	1005	200	2005	100	\$ -

2. Extra Claim Fee

a. Claims as Filed

		Extra Claims	
Total Claims			
0	- 20 =	0	x
Independent			
0	- 3 =	0	x
Multiple Dependent			

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

b. Claims as Amended

		After Amnt		Highest Paid		Present Extra	
Total Claims							
0	- 0	*	=	0	x		
Independent							
0	- 0	**	=	0	x		
First Presentation of Multiple Dependent							

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

3. Extra Page Fee

Total Pages		Extra Pages	
0	-100	0	x

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1081	250	2081	125	\$ -

Subtotal for Application Fees

1	\$ -	+	2	\$ -	+	3	\$ -	=	\$ -
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4. Additional Fees

		Large Entity		Small Entity		Paid
Description		Code	(\$)	Code	(\$)	
Extension for response first month		1251	120	2251	60	\$ -
Extension for response second month		1252	450	2252	225	\$ -
Extension for response third month		1253	1,020	2253	510	\$ -
Extension for response fourth month		1254	1,590	2254	795	\$ -
Extension for response fifth month		1255	2,160	2255	1,080	\$ -
Notice of Appeal		1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal		1402	500	2402	250	\$ -
Request for Oral hearing		1403	1,000	2403	500	\$ -
Petitions under 1.17(f)		1462	400	1462	400	\$ -
Petitions under 1.17(g)		1463	200	1463	200	\$ -
Petitions under 1.17(h)		1464	130	1464	130	\$ -
Petition - public use proceeding		1451	1,510	1451	1,510	\$ -
Petition to Revive - Unavoidable		1452	500	2452	250	\$ -
Petition to Revive - Unintentional		1453	1,500	2453	750	\$ -
Utility Issue Fee		1501	1,400	2501	700	\$ -
Design Issue Fee		1502	800	2502	400	\$ -
Plant Issue Fee		1503	1,100	2503	550	\$ -
Reissue Issue Fee		1511	1,400	2511	700	\$ -
Publication Fee		1504	300	1504	300	\$ -
Statutory Disclaimer		1814	130	2814	65	\$ -

(cont.)

Description (cont.)

		Large Entity		Small Entity		Paid
Description		Code	(\$)	Code	(\$)	
Recording each Assignment		8021	40	8021	40	\$ -
Submission of IDS		1806	180	1806	180	\$ -
Request for Cont. Examination (RCE)		1801	790	2801	395	\$ -
Filing Submission After Final		1809	790	2809	395	\$ -
Surcharge - late filing fee or oath		1051	130	2051	65	\$130.00
Surcharge - late provisional fee		1052	50	2052	25	\$ -
Non-English Specification		1053	130	1053	130	\$ -
Request for Ex Parte Reexamination		1807	50	1807	50	\$ -
Request Pub. of SIR prior to action		1812	2,520	1812	2,520	\$ -
Request Pub. of SIR after action		1804	920	1804	920	\$ -
Each Add. Invention Examined		1805	1,840	1805	1,840	\$ -
Expedited Examination (Design)		1810	790	2810	395	\$ -
Unintentionally Delayed Priority Claim		1802	900	1802	900	\$ -
Certificate of Correction		1453	1,370	1453	1,370	\$ -
Maintenance Fees 3.5 years		1811	100	1811	100	\$ -
Maintenance Fees 7.5 years		1551	900	2551	450	\$ -
Maintenance Fees 11.5 years		1552	2,300	2552	1,150	\$ -
Surcharge - Late Payment 6 mos.		1553	3,800	2553	1,900	\$ -
Other fee		1554	130	2554	65	\$ -

Additional Fee Subtotal \$ 130

METHOD OF PAYMENT

☒ Deposit Account No.

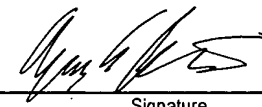
10-0233-COCH-129-US1

☒ The Commissioner is hereby authorized to charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

07/14/2005 GFREY1 00000034 10518811

01 FC:1617

130.00 OP

Name	Ajay Jagtiani	Reg. No.	35,205
Firm	Jagtiani + Gutttag		
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Telephone	703.591.2664	Fax	703.591.5907
Signature		Date	
		July 11, 2005	

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UNITED STATES PATENT AND TRADEMARK OFFICE

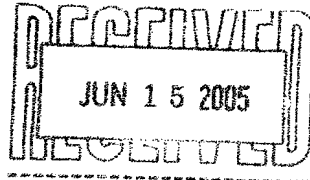
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1459
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/518,811	FIRST NAMED APPLICANT Bruce J Gantz	ATTY. DOCKET NO. COCH-0129-US1
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INTERNATIONAL APPLICATION NO. PCT/AU03/00828

IA FILING DATE 06/27/2003	PRIORITY DATE 06/28/2002
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22506
 JAGTIANI + GUTTAG
 10363-A DEMOCRACY LANE
 FAIRFAX, VA 22030



CONFIRMATION NO. 3607
 371 FORMALITIES LETTER
 OC000000016260588
 OC000000016260588

Date Mailed: 06/13/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/22/2004
- Information Disclosure Statements filed on 12/22/2004
- U.S. Basic National Fees filed on 12/22/2004
- Priority Documents filed on 12/22/2004
- Power of Attorney filed on 12/22/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

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of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,811	PCT/AU03/00828	COCH-0129-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

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